



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

November 13, 2007

Leider

Mayor Wells called the meeting to order at 7:00 pm and announced that she plans to resign 2007 for personal reasons as soon as someone is found to replace her.

PRESENT: Mayor Judee Wells, Councilmembers Steve Eulau, Richard Leider, Aaron Sharp, and Bruce Young.

EXCUSED: Councilmember Carol Clemett.

STAFF: Clerk-Treasurer Sue Ann Spens, Deputy Marshal Scott Harpster, Water Dept Supervisor Bob Durr.

GUESTS: Joann Bromberg, WABA.

MINUTES: Councilmember Leider moved to approve the October 9, 2007 minutes as amended. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

WARRANTS: Councilmember Leider moved to approve the November 13, 2007 warrant list, including warrant numbers 7486 through 7512, in the amount of \$44,615.68.

Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

CLERK'S REPORT:

BOARD OF ADJUSTMENT APPOINTMENT: Clerk-Treasurer Spens informed the Council that Steve Matsudaira's term on the Board of Adjustment has expired and that he is willing to serve another four-year term if the Council wishes.

MOTION: Councilmember Eulau moved to confirm the re-appointment of Steve Matsudaira to Board of Adjustment Position No. 3 for a term that expires on December 31, 2010.

Councilmember Leider seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

COUNCIL VACANCY: Clerk-Treasurer Spens reported that Councilmember Clemett's position had no candidates in the last election, which means that it will be vacant as of January 1, 2008. She added that if Councilmember Clemett is willing to continue serving on the Council, she can be re-appointed to her position for a two-year term and would have to stand for election to an unexpired two-year term in 2009.

BELLEVUE NEIGHBORHOOD NEWSLETTER: Clerk-Treasurer Spens explained that Councilmember Sharp had distributed a recent newsletter from the City of Bellevue that

outlines proposed amendments to Bellevue's current Land Use Code that are intended to preserve the character of neighborhoods in Bellevue. Councilmember Sharp suggested that this newsletter be forwarded to the Planning Commission for their information.

TREASURER'S REPORT: Councilmember Leider reported that he has reviewed the 3Q 2007 Treasurer's Reports with supporting documentation, has found them to be accurate and complete, and has signed them to indicate his approval.

CENTENNIAL PARK: Clerk-Treasurer Spens reported that she is still working with Town Attorney Stewart about a Memorandum of Understanding between the Town and WABA that outlines the proposed improvements, restates that the primary use of the property remains for the operation of a water-distribution system, specifies that the Town will remove any and all improvements at the Town's expense if the Town ceases to operate the water-distribution system, and reiterates that the property would then revert to WABA ownership.

COMPREHENSIVE PLAN COMMENTS FROM PSRC: Clerk-Treasurer Spens reported that she and Councilmember Leider will tackle writing this response to PSRC's letter to the Town about deficiencies in our Comprehensive Plan as soon as the 2008 budget is completed.

MARSHAL'S REPORT: Deputy Marshal Scott Harpster reported on an incident involving a resident. He explained that he and Town Marshall Walter Scott had discussed the incident and determined that the resident's right-to-privacy outweighed any perceived threat to safety; therefore, they chose not to activate Blockwatch.

WABA REPORT: Joann Bromberg reported that WABA is in the process of reconfiguring the trail behind the tennis court and up the stairs at SE 28th Pl. She noted that the work should be complete in about two weeks.

She also informed the Council that Sheila Justus has agreed to serve as the chair of the Woodlands Committee joining Warren Klink and Julia Morse and that Kyle Branum has resigned as WABA Vice-President. She added that WABA will move forward with just four trustees until elections are held at the Winter Dinner on January 28, 2008.

She announced that events celebrating WABA's centennial are in the planning stages and that next year's Summer Picnic will be held on the Fourth of July.

She also announced that the Christmas Ship will visit Beaux Arts Beach on Monday December 17th and that a bonfire is planned.

WATER REPORT: Water Dept Supervisor Bob Durr reported that the motor starter on the water pump was repaired last month.

EMERGENCY PREPAREDNESS: No report.

PUBLIC HEARING: PROPOSED ORDINANCE NO. 353 SETTING THE LEVY

FOR 2008: Mayor Wells opened the public hearing at 7:35pm. Clerk-Treasurer Spens explained how King County calculates the value of the maximum allowable levy, how the recent Washington State Supreme Court ruling on I-747 affects that calculation, and that the number King County has provided is still preliminary. She noted that this means the maximum allowable levy, which is affected in part by new construction, could increase, though probably not by much and that the property taxes collected by King County on the Town's behalf cannot exceed either the dollar figure the Council sets in its levy ordinance or the maximum allowed by law, whichever is lower.

Mayor Wells asked for comments from the public. As there were none, she closed the public hearing at 7:40pm.

The Council discussed the recent court ruling on I-747, which eliminates the 1% cap on property taxes – at least until the State Legislature passes legislation enacting the cap. It was the consensus of the Council to continue capping our property tax increases at 1% for the time being.

MOTION: Councilmember Leider moved to approve Ordinance No. 353 authorizing a 1% increase in property taxes for 2008 and setting the amount to be levied on property in the Town for 2008. Councilmember Sharp seconded.
Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PUBLIC HEARING: PRELIMINARY BUDGET FOR 2008: Mayor Wells opened the public hearing at 7:45pm. Councilmember Leider distributed handouts illustrating the guidelines used to develop this budget and the current state of each of the Town's funds. He then asked the Council to focus their attention on the Water Department Fund, which shows a deficit for next year of nearly \$6,000. He reminded the Council that the Water Fund is an agency fund, which means that it must be fully self-supporting and cannot make use of fund transfers from the General Fund or other funds.

Councilmember Leider explained that this deficit can be addressed either by increasing water revenues through increased rates or by drawing down reserves in the Water Fund. He expressed concern about drawing down reserves in the fund, because the cost of any unforeseen maintenance could easily run through the \$55,000 currently held in that fund and recommended instead an increase in water rates. He noted that water rates were increased last year, making this action appear less attractive on the surface but still necessary to keep the Water Department viable and commented that Beaux Arts water rates are still well below those in neighboring jurisdictions. He added that he believes our water department continues to deliver a superior product to our customers and thinks most of our customers would agree and would prefer to pay a little more for Beaux Arts water than switch to Bellevue water. It was noted that the impact of this rate change is to increase the average water bill from \$53 to \$60 every two months.

Councilmember Sharp asked about Bill Beck and his plans for continuing to work for Beaux Arts. Water Department Supervisor Bob Durr answered that Mr. Beck committed to a minimum three-year stint last year.

Councilmember Sharp noted that the rate increase agreed to above only maintains the Water Fund's reserves and asked if the Water Department should be looking at ways to increase reserves. Councilmember Leider answered that the only real way to increase reserves in the Water Department is through water sales. He suggested that this question be discussed further next year, after the impact of this rate increase can be assessed.

MOTION: Councilmember Sharp moved to increase the base rate for the first 1400 cf of water to \$45.00 and the charge for water usage over the 1400 cf minimum to \$1.30 per 100 cf. Councilmember Eulau seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Clerk-Treasurer Spens will incorporate this revision into the Town's Fee Resolution and bring the revised resolution to the Council for adoption in December.

Councilmember Leider recapped other revisions to last month's the preliminary budget and reminded the Council that a final budget will be brought to the Council in December for adoption by ordinance. He also reminded the Council that there will be a public hearing in December to pass an ordinance amending the 2007 Budget because the cost of this year's street overlay exceeded original estimates.

Mayor Wells asked for comments from the public. As there were none, she closed the public hearing at 8:05pm.

PROPOSED RESOLUTION NO. 238 EXECUTING A CONTRACT WITH MRSC FOR SMALL WORK ROSTER SERVICES: Clerk-Treasurer outlined the background of our current relationship for Small Works Roster services with the City of Lynnwood via Interlocal Agreement and that city's decision to turn over maintaining the Small Works Roster services to Municipal Research and Services Corporation (MRSC). She added that continued participation in this share small works roster is good for Beaux Arts both because it is cost effective for us and it gives us access to many more service providers than would probably ask to be on our list if we maintained a separate one.

MOTION: Councilmember Leider moved to adopt Resolution No. 238 authorizing the Mayor to execute the MRSC Contract to provide Small Public Works and Consulting Services Rosters and establishing a process of use of the rosters. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PRIVATE IMPROVEMENTS ON TOWN ROWS: Councilmember Sharp explained that he has prepared a list of goals and guidelines and Councilmember Leider has reviewed them. He asked Clerk-Treasurer Spens to distribute this list to members of the Council for their review and comments and added that he hopes the final list can be ready to forward to the Planning Commission in December or January so that they can study the issue and develop an ordinance regulating the use of the ROW.

TREE MANAGEMENT PLAN: Councilmember Young reported that the proposed Tree-Management ordinance goes to the Planning Commission for review at a public hearing on November 20, 2007 and that the Tree Committee hopes the ordinance will come to the Council with the Planning Commission's recommendations in December. Clerk-Treasurer Spens added that the text of the proposed ordinance is on the Town's website to make it quickly and easily accessible to as many residents as possible.

UNDERGROUND UTILITIES: Nothing further to report at this time.

MAYOR AND COUNCILMEMBER REPORTS:

FOLIAGE MAINTANANCE AND VISIBILITY ISSUES: Councilmember Sharp asked that an item be put in the newsletter reminding residents that the longer nights diminish visibility on our streets making it more important that ever to keep foliage trimmed back from our streets and street signs.

STREET SWEEPING: Councilmember Sharp will arrange for street sweeping in the next few weeks as recent storms have brought down the rest of the tree leaves.

MAYOR'S RESIGNATION: Mayor Wells announced that she will be resigning for personal reasons as soon as the Council can appoint a replacement. The Council expects to appoint someone to fill the remaining two years of Mayor Wells' term at their January meeting.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council that the next regular Council meeting is scheduled for December 11th at Aaron Sharp's house.

ADJOURN: Councilmember Leider moved to adjourn the meeting at 8:40pm and convene an Executive Session to discuss personnel issues. Councilmember Sharp seconded. Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer